



DRAFT MINUTES

BUSINESS AND LABOR INTERIM COMMITTEE

Wednesday, August 21, 2019 | 8:30 a.m. | 210 Senate Building

Members Present:

Sen. Curtis S. Bramble, Chair
Rep. James A. Dunnigan, Chair
Sen. Kirk A. Cullimore
Sen. Gene Davis
Sen. Karen Mayne
Sen. Daniel McCay
Rep. Craig Hall
Rep. Timothy D. Hawkes
Rep. A. Cory Maloy
Rep. Michael K. McKell
Rep. Calvin R. Musselman
Rep. Derrin R. Owens
Rep. Tim Quinn

Rep. Mike Schultz
Rep. Casey Snider
Rep. Mark A. Wheatley
Rep. Mike Winder

Members Absent:

Sen. Daniel Hemmert
Rep. Susan Duckworth
Rep. Francis D. Gibson

Staff Present:

Mr. Adam J. Sweet, Policy Analyst
Mr. Gus Harb, Associate General Counsel
Ms. Amy L. West, Associate General Counsel
Ms. Leila Reynolds, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Bramble called the meeting to order at 8:35 a.m.

1 . Committee Business

MOTION: Rep. Maloy moved to approve the minutes of the June 19, 2019, meeting. The motion passed with a vote of 9 - 0 - 11.

Yeas-9

Sen. C. Bramble
Sen. K. Cullimore
Rep. C. Hall
Rep. A. Maloy
Sen. K. Mayne
Rep. C. Musselman
Rep. T. Quinn
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-11

Sen. G. Davis
Rep. S. Duckworth
Rep. J. Dunnigan
Rep. F. Gibson
Rep. T. Hawkes
Sen. D. Hemmert
Sen. D. McCay
Rep. M. McKell
Rep. D. Owens
Rep. M. Schultz
Rep. C. Snider

2 . Disputes Between Residents and Homeowners' Associations

Mr. Sweet gave a presentation on how other states handle disputes between private residents and HOA's.

Rep. Cheryl Acton presented on issues a homeowner faces when there are issues with their HOA, as well as starting the conversation on ways a homeowner can avoid or resolve disputes with their HOA without going to court.

The committee asked questions of Rep. Acton.

Michael Johnson, Chair, Legislative Action Committee, Community Associations Institute, presented on the facts and figures that his organization gathered regarding how an HOA benefits the residents and home values, as well as explaining the education and steps they have made with realtors to add a CC&R disclosure to the sale contract.



Rep. Acton concluded her presentation.

3 . Committee Business

MOTION: Sen. Mayne moved to open a committee bill file for the Department of Commerce to address the annual clean up items. The motion passed with a vote of 13 - 0 - 7.

Yeas-13

Sen. K. Cullimore
Sen. G. Davis
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Sen. K. Mayne
Rep. M. McKell
Rep. C. Musselman
Rep. D. Owens
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-7

Sen. C. Bramble
Rep. S. Duckworth
Rep. F. Gibson
Sen. D. Hemmert
Rep. A. Maloy
Sen. D. McCay
Rep. M. Schultz

4 . Draft Legislation "Workers' Compensation Advisory Council Membership Amendments"

[2A - Workers' Compensation Advisory Council Membership Amendments \(2020 General Session Draft Legislation\)](#)

Rep. Dunnigan presented on the draft legislation which places a Senator and a Representative on the advisory board as non-voting members.

Rep. Dunnigan concluded his presentation on the draft legislation.

MOTION: Rep. Dunnigan moved to favorably pass the draft legislation out of committee. The motion passed with a vote of 14 - 0 - 6.

Yeas-14

Sen. C. Bramble
Sen. K. Cullimore
Sen. G. Davis
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Sen. K. Mayne
Rep. M. McKell
Rep. C. Musselman
Rep. D. Owens
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-6

Rep. S. Duckworth
Rep. F. Gibson
Sen. D. Hemmert
Rep. A. Maloy
Sen. D. McCay
Rep. M. Schultz

5 . Water Rates for Properties within a Homeowners' Association

Rep. Dunnigan presented on the issues many multi-unit properties experience regarding water rate charges being billed at the higher rate tier due to the building using a single water meter.

Marie Owens, Director, Division of Drinking Water, presented on how the Division of Drinking Water views the planned development unit's and HOA's water management.

Chair Bramble asked a question of the presenter.

Marie Owens continued with the presentation.

The committee asked questions of Marie Owens.

Rep. Dunnigan commented on a statute that was passed in 2016 that required a tiered rate system.

Mark Chalk, General Manager, Taylorsville-Bennion Improvement District, presented on how the Improvement District manages the tiered rate system.

The committee asked questions of Mark Chalk.

Laura Briefer, Director, Department of Public Utilities, Salt Lake City, presented on their rate structure, what HOA accounts look like in their district, as well as how municipal water suppliers look at in these situations.

LeGrand Bitter, Executive Director, Utah Association of Special Districts, presented on how members of the Association handle water meters for HOA's.

Michael Johnson, Chair, Legislative Action Committee, Community Associations Institute, presented on what the committee found when they looked at all the different water districts and how they handle billing HOA's.

The committee asked questions of Michael Johnson.

Lance Jackson, Director of Maintenance, Community Solutions and Sales, has managed an HOA downtown for the past 11 years and presented on how the HOA manages the water billing for that HOA, as they use a master meter.

Rep. Dunnigan made his concluding statement based on the new information gained today.

6 . Required Reports

Mr. Sweet went over the required reports the committee receives each year.

[5A - Building Standards for the use of Mass Timber Products \(Source: Uniform Building Code Commission, August 13, 2019\)](#)

[5B - Annual Report of the Utah Motor Vehicle Franchise Advisory Board \(Source: Department of Commerce, July 8, 2019\)](#)

[5C - Letter to the Committee Chairs \(Source: Audit Subcommittee of the Legislative Management Committee, May 17, 2019\)](#)

[5D - A Performance Audit of Counties? Use of Tourism Promotion Funding \(Source: Office of the Legislative Auditor General, April 2019, Report #2019-03\)](#)

Sen. Bramble discussed how the presentation of reports have changed from years past.

Rep. Snider commented on the required reports.

Rep. Snider spoke the motion the Representative will be making regarding Uniform Building Code Commission's report regarding mass timber products.

MOTION: Rep. Snider moved to open a committee bill to amend the Uniform Building Code, relative to mass timber products. The motion passed with a vote of 12 - 0 - 8.

Yeas-12

Sen. C. Bramble
Sen. G. Davis
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. A. Maloy
Sen. D. McCay
Rep. C. Musselman
Rep. D. Owens
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0Absent-8

Sen. K. Cullimore
Rep. S. Duckworth
Rep. F. Gibson
Sen. D. Hemmert
Sen. K. Mayne
Rep. M. McKell
Rep. T. Quinn
Rep. M. Schultz

7 . Other Items/Adjourn

Chair Bramble presented the new Associate General Counsel, Gus Harb, who is the second attorney staffing the Business and Labor Interim Committee.

MOTION: Sen. McCay moved to adjourn. The motion passed with a vote of 11 - 1 - 8.

Yeas-11

Sen. C. Bramble
Sen. G. Davis
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. A. Maloy
Sen. D. McCay
Rep. C. Musselman
Rep. D. Owens
Rep. C. Snider
Rep. M. Wheatley

Nays-1

Rep. M. Winder

Absent-8

Sen. K. Cullimore
Rep. S. Duckworth
Rep. F. Gibson
Sen. D. Hemmert
Sen. K. Mayne
Rep. M. McKell
Rep. T. Quinn
Rep. M. Schultz

The committee adjourned at 10:46 a.m.